IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 450 of 2005

STATE

V/S

SHR ISHAR @ ISHWAR & ANR

Mr. OP BOOB, for the appellant / petitioner

Date of Order : 25.7.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant and perused the impugned judgments and decree.

The main contention of the appellant is that the land on which Patta has been granted was Bilanam Government Land, and was never given to Gram Panchayat so as to enable Gram Panchayat to grant Patta.

Admittedly Patta has been granted by the Gram Panchayat being Ex. 1 which has not been got cancelled by the appellant in accordance with law, and both the learned courts below have found that the appellant has not produced any documentary evidence to show that the land in question forms part of Khasra No. 236 being Bilanam Government Land. Suffice it to say that if the land would have been Bilanam

Government Land, it could very conveniently be proved by the appellant by producing relevant revenue record.

In that view of the matter, I do not find any error in the findings recorded by the learned courts below. The appeal thus does not involve any substantial question of law. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

/Sushil/